

69 Stat. 375; Sept. 14, 1966, Pub. L. 89-576, 80 Stat. 772; Aug. 15, 1977, Pub. L. 95-98, §1(b)(2), 91 Stat. 830; May 31, 1984, Pub. L. 98-304, 98 Stat. 220.)

AMENDMENTS

1984—Pub. L. 98-304 amended section generally. Prior to amendment, section read as follows: “Any person who served in the Armed Forces of the United States of America or any American citizen who served in the armed forces of an allied nation of the United States at any time after September 15, 1940, and before May 8, 1975, is eligible for regular membership in AMVETS, provided such service when terminated by discharge or release from active duty be by honorable discharge or separation. No person who is a member of, or who advocates the principles of, any organization believing in, or working for, the overthrow of the United States Government by force, and no person who refuses to uphold and defend the Constitution of the United States, shall be privileged to become, or continue to be, a member of this organization”.

1977—Pub. L. 95-98 substituted “at any time after September 15, 1940, and before May 8, 1975,” for “on or after September 16, 1940, and on or before the date of cessation of hostilities as determined by the Government of the United States.”

1966—Pub. L. 89-576 redefined eligibility for membership in AMVETS, substituting “the date of cessation of hostilities as determined by the Government of the United States” for “January 31, 1955”.

1955—Act July 26, 1955, substituted “and on or before January 31, 1955” for “and before the legal termination of World War II”.

1950—Act Dec. 23, 1950, redefined eligibility for membership in AMVETS.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-98 effective Oct. 1, 1977, see section 2 of Pub. L. 95-98, set out as a note under section 67 of this title.

CROSS REFERENCES

Penalty for unauthorized manufacture, reproduction, or sale of badges or emblems of veterans' organizations, see section 705 of Title 18, Crimes and Criminal Procedure.

§ 67f. Voting rights of members and convention delegates; executive committee

(1) Each member of the said corporation shall have the right to one vote in the conduct of official business at the post level. Each post shall have the right to elect delegates to national conventions of the corporation, which delegates shall each exercise one vote in the conduct of business of the respective convention to which he is elected.

(2) The executive committee of the said corporation shall consist of one member duly elected to represent each department, and, in addition, all elective officers shall be members of the executive committee, ex officio.

(July 23, 1947, ch. 298, §7, 61 Stat. 407.)

§ 67g. Acquisition of assets and liabilities of existing association

The said corporation may and shall acquire all of the assets of the existing unincorporated association known as AMVETS (American Veterans of World War II) upon discharge or satisfactory provisions for the discharge of all its liabilities.

(July 23, 1947, ch. 298, §8, 61 Stat. 407.)

CODIFICATION

Amendment of this section by Pub. L. 95-98, §1(a), Aug. 15, 1977, 91 Stat. 830, which directed that “AMVETS (American Veterans of World War II, Korea, and Vietnam)” be substituted for “AMVETS (American Veterans of World War II)” has not been executed to text because the organization name is used in this section in the context of a historical reference to the name of the predecessor unincorporated association as that association existed at the time of the 1945 convention, at which time the association was named “AMVETS (American Veterans of World War II)”.

§ 67h. Use of assets on dissolution or liquidation

In the event of a final dissolution or liquidation of such corporation, and after the discharge or satisfactory provisions for the discharge of all its liabilities, the remaining assets of the said corporation shall be transferred to the Department of Veterans Affairs to be applied to the care and comfort of disabled veterans of World War II, the Korean conflict and the Vietnam era.

(July 23, 1947, ch. 298, §9, 61 Stat. 407; Aug. 15, 1977, Pub. L. 95-98, §1(b)(3), 91 Stat. 830; June 13, 1991, Pub. L. 102-54, §13(n)(1), 105 Stat. 278.)

AMENDMENTS

1991—Pub. L. 102-54 substituted “Department of Veterans Affairs” for “Veterans’ Administration”.

1977—Pub. L. 95-98 inserted “, the Korean conflict and the Vietnam era” after “World War II”.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-98 effective Oct. 1, 1977, see section 2 of Pub. L. 95-98, set out as a note under section 67 of this title.

§ 67i. Additional corporate powers

The corporation shall have power to—

- (1) Have succession by its corporate name;
- (2) Choose such officers, representatives, and agents as are necessary to carry out the purposes of the corporation;
- (3) Contract and be contracted with;
- (4) Transfer and convey all real or personal property;
- (5) Borrow money for the purposes of the corporation, issue bonds therefor, and secure same by mortgage subject in every case to all applicable provisions of Federal or State laws.

(July 23, 1947, ch. 298, §10, 61 Stat. 407.)

§ 67j. Liability for acts of officials and agents

The corporation shall be liable for the acts of its officials, representatives, and agents when acting within the scope of their authority.

(July 23, 1947, ch. 298, §11, 61 Stat. 407.)

§ 67k. Agent for service of process

The corporation shall maintain in the District of Columbia at all times a designated agent authorized to accept services of processes for such corporation; and notice to or service upon such agent, or mail to the business address of such agent, shall be deemed notice or service upon the corporation.

(July 23, 1947, ch. 298, §12, 61 Stat. 407.)

§ 67l. Election of officers

The following national officers of the said corporation shall be elected by the chosen delegates

thereof in annual national conventions, each official delegate casting one vote, to wit: National commander and seven national vice commanders, one of whom shall be a woman; finance officer, adjutant, judge advocate, and provost marshal.

(July 23, 1947, ch. 298, §13, 61 Stat. 408.)

§ 67m. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, executive committee, and committees having any of the authority of the executive committee; and shall keep at its registered office or principal office a record giving the names and addresses of its members entitled to vote; and permit all books and records of the corporation to be inspected by any member or his agent or his attorney for any proper purpose at any reasonable time.

(July 23, 1947, ch. 298, §14, 61 Stat. 408.)

CROSS REFERENCES

Printing of proceedings of national encampments as House documents, see section 1332 of Title 44, Public Printing and Documents.

§ 67n. Prohibition against issuance of stock or payment of dividends

The corporation shall not have or issue shares of stock, nor declare or pay dividends.

(July 23, 1947, ch. 298, §15, 61 Stat. 408.)

§ 67o. Loans to officers; liability of officers

No loan shall be made by the corporation to its officers or directors, or any of them, and any directors of the corporation who vote for or assent to the making of a loan or advance to an officer or director of the corporation, and any officer or officers participating in the making of any such loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(July 23, 1947, ch. 298, §16, 61 Stat. 408.)

§ 67p. Exclusive right to name, seals, emblems, and badges

The corporation and its State, regional, and local subdivisions shall have the sole and exclusive right to have and use in carrying out its purposes the name AMVETS (American Veterans of World War II, Korea, and Vietnam), and such seals, emblems, and badges as the corporation may lawfully adopt.

(July 23, 1947, ch. 298, §17, 61 Stat. 408; Aug. 15, 1977, Pub. L. 95-98, §1(a), 91 Stat. 830.)

AMENDMENTS

1977—Pub. L. 95-98 substituted “World War II, Korea, and Vietnam)” for “World War II)”.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-98 effective Oct. 1, 1977, see section 2 of Pub. L. 95-98, set out as a note under section 67 of this title.

CROSS REFERENCES

Penalty for unauthorized manufacture, reproduction, or sale of badges or emblems of veterans’ organizations,

see section 705 of Title 18, Crimes and Criminal Procedure.

§ 67q. Service of process; local authorized agents in States

As a condition precedent to the exercise of any power or privilege herein granted or conferred AMVETS (American Veterans of World War II, Korea, and Vietnam) shall serve notice on the secretary of state, in each State, of the name and address of an authorized agent in such State upon whom legal process or demands against this corporation may be served.

(July 23, 1947, ch. 298, §18, 61 Stat. 408; Aug. 15, 1977, Pub. L. 95-98, §1(a), 91 Stat. 830.)

AMENDMENTS

1977—Pub. L. 95-98 substituted “World War II, Korea, and Vietnam)” for “World War II)”.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-98 effective Oct. 1, 1977, see section 2 of Pub. L. 95-98, set out as a note under section 67 of this title.

§ 67r. Grant and accrual of rights of other national veterans’ organizations

Such provisions, privileges, and prerogatives as have been granted heretofore to other national veterans’ organizations by virtue of their being incorporated by Congress are granted and accrue to AMVETS (American Veterans of World War II, Korea, and Vietnam).

(July 23, 1947, ch. 298, §19, 61 Stat. 408; Aug. 15, 1977, Pub. L. 95-98, §1(a), 91 Stat. 830.)

AMENDMENTS

1977—Pub. L. 95-98 substituted “World War II, Korea, and Vietnam)” for “World War II)”.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-98 effective Oct. 1, 1977, see section 2 of Pub. L. 95-98, set out as a note under section 67 of this title.

§ 67s. Reservation of right to amend or repeal chapter

The right to repeal, alter, or amend this chapter at any time is expressly reserved.

(July 23, 1947, ch. 298, §20, 61 Stat. 408.)

CHAPTER 5—GRAND ARMY OF THE REPUBLIC

§§ 71 to 77. Omitted

CODIFICATION

Sections 71 to 77 related to Grand Army of the Republic, the corporate existence of which terminated pursuant to former section 76 of this title.

Section 71, act June 3, 1924, ch. 242, §1, 43 Stat. 358, created a corporation known as Grand Army of the Republic, with a membership limited to those who served as soldiers and sailors of the United States between Apr. 12, 1861, and Apr. 9, 1865, or in State regiments called into active service between those date and who were honorably discharged, and specified the powers of the corporation.

Section 72, act June 3, 1924, ch. 242, §2, 43 Stat. 359, defined objects and purposes of corporation.

Section 73, act June 3, 1924, ch. 242, §3, 43 Stat. 359, provided for a governing body for corporation.